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ON THE LAW OF THE SEA

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ANNUAL REPORT OF THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA FOR 1998

Presented by the Registrar

CONTENTS

		Paragraphs	Page
I.	INTRODUCTION	1 - 6	4
II.	SESSIONS OF THE TRIBUNAL	7	5
III.	JUDICIAL WORK OF THE TRIBUNAL	8 - 15	5
IV.	OTHER ACTIVITIES	16 - 17	6
V.	CHAMBERS	18 - 28	6
	A. Seabed Disputes Chamber	18 - 20	6
	B. Special Chambers	21 - 28	7
	1. Chamber of Summary Procedure	21 - 22	7
	2. Chamber for Fisheries Disputes	23 - 25	7
	3. Chamber for Marine Environment Disputes	26 - 28	7
VI.	COMMITTEES AND WORKING GROUPS	29 - 30	8
	A. Committees	29	8
	B. Working Groups	30	8

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CONTENTS (continued)

		Paragraphs	Page
VII.	RULES OF THE TRIBUNAL	31	8
VIII.	PRIVILEGES AND IMMUNITIES	32 - 37	8
	A. General Agreement	32 - 33	8
	B. Headquarters Agreement	34 - 37	9
IX.	RELATIONS WITH THE UNITED NATIONS AND OTHER ORGANIZATIONS	38 - 45	9
	A. Observer status with the General Assembly	38 - 40	9
	B. Relationship Agreement with the United Nations	41 - 43	10
	C. Relationship with other organizations and bodies	44 - 45	10
X.	PREMISES OF THE TRIBUNAL	46 - 49	11
XI.	FINANCES	50 - 69	11
	A. Budget	50 - 57	11
	1. Budget for 1999	51 - 53	11
	2. Supplementary Budget for 1998	54 - 55	12
	3. Budget proposals for 2000	56	12
	4. Report on budget performance	57	12
	B. Status of contributions	58 - 60	12
	C. Report of the Auditor for 1996-1997	61 - 63	13
	D. Trust funds	64	13
	E. Financial Regulations	65 - 67	13
	F. Pension Scheme for members of the Tribunal	68 - 69	14
XII.	ADMINISTRATIVE MATTERS	70 - 75	14
	A. Staff Regulations	70 - 71	14
	B. Recruitment of staff	72 - 73	14

CONTENTS (continued)

		Paragraphs	Page
	C. Instructions for the Registry	74	15
	D. United Nations Joint Staff Pension Fund	75	15
XIII.	BUILDING AND ELECTRONIC SYSTEMS	76 - 77	15
XIV.	LIBRARY FACILITIES	78	16
XV.	PUBLICATIONS	79 - 81	16
XVI.	PUBLIC INFORMATION	82	16
XVII.	FUTURE WORK	83 - 85	16
Annex.	List of donors to the Library of the International Tribunal for the Law of the Sea (1998)		18

I. INTRODUCTION

1. The present report of the International Tribunal for the Law of the Sea is submitted to the Meeting of States Parties under article 6, paragraph 3 (d), of the Rules of Procedure for Meetings of States Parties. The report covers one calendar year, from 1 January to 31 December 1998.

2. The Tribunal is an international judicial body established by the 1982 United Nations Convention on the Law of the Sea (hereinafter "the Convention"). It functions in accordance with its Statute (hereinafter "the Statute"), as contained in Annex VI to the Convention, as well as in the relevant provisions of Part XV and Part XI, section 5, of the Convention.

3. In accordance with article 2 of the Statute, the Tribunal is composed of 21 members, elected by the States Parties to the Convention, as provided for by article 4 of the Statute.

4. The 21 judges of the Tribunal were elected at the Meeting of States Parties on 1 August 1996. The judges, in order of precedence, are:

Name	Country	Date of expiry of term of office
Thomas A. Mensah	Ghana	30 September 2005
Rüdiger Wolfrum	Germany	30 September 1999
Lihai Zhao	China	30 September 2002
Hugo Caminos	Argentina	30 September 2002
Vicente Marotta Rangel	Brazil	30 September 1999
Alexander Yankov	Bulgaria	30 September 2002
Soji Yamamoto	Japan	30 September 2005
Anatoly Lazarevich Kolodkin	Russian Federation	30 September 1999
Choon-Ho Park	Republic of Korea	30 September 2005
Paul Bamela Engo	Cameroon	30 September 1999
L. Dolliver M. Nelson	Grenada	30 September 2005
P. Chandrasekhara Rao	India	30 September 1999
Joseph Akl	Lebanon	30 September 1999
David Anderson	United Kingdom	30 September 2005
Budislav Vukas	Croatia	30 September 2005
Joseph Sinde Warioba	United Republic of Tanzania	30 September 1999
Edward Arthur Laing	Belize	30 September 2002
Tullio Treves	Italy	30 September 2002
Mohamed Mouldi Marsit	Tunisia	30 September 2005
Gudmundur Eiriksson	Iceland	30 September 2002
Tafsir Malick Ndiaye	Senegal	30 September 2002

5. Judge Thomas A. Mensah serves as President of the Tribunal and Judge Rüdiger Wolfrum as Vice-President.

6. The Registrar is Mr. Gritakumar E. Chitty of Sri Lanka and the Deputy Registrar is Mr. Philippe Gautier of Belgium.

II. SESSIONS OF THE TRIBUNAL

7. During the period under review, the Tribunal held two sessions. The fifth session took place from 16 February to 20 March 1998. This organizational session was held in conjunction with the proceedings concerning the M/V "Saiga" (No.2) case (request for the prescription of provisional measures). The sixth session took place from 21 September to 9 October 1998 and was devoted to organizational matters and consideration of arrangements for the further proceedings on the M/V "Saiga" (No.2) case.

III. JUDICIAL WORK OF THE TRIBUNAL

The M/V "Saiga" (No.2) case

8. On 13 January 1998, a Request for the prescription of provisional measures, pending the constitution of an arbitral tribunal, was filed in the Registry of the Tribunal by Saint Vincent and the Grenadines in accordance with article 290, paragraph 5, of the Convention. The Request was accompanied by a copy of a document dated 22 December 1997, instituting arbitral proceedings against Guinea. The case concerned a dispute between Saint Vincent and the Grenadines and Guinea arising from the arrest and detention of the M/V "Saiga". A Request for the prompt release of the ship and its crew was the subject of the first Judgement of the Tribunal of 4 December 1997.[1]

9. The written proceedings on the Request for provisional measures consisted of a Statement in response submitted by Guinea on 30 January 1998, a Reply by Saint Vincent and the Grenadines filed in the Registry on 13 February 1998 and a Rejoinder submitted by Guinea on 20 February 1998.

10. By an exchange of letters dated 20 February 1998, the parties agreed to submit to the Tribunal the dispute concerning the M/V "Saiga", including the Request for provisional measures. In their agreement, the parties requested that the case be considered as having been submitted to the Tribunal on 22 December 1997, and that the Request for the prescription of provisional measures be considered as having been submitted to the Tribunal under article 290, paragraph 1, of the Convention.

11. By an Order dated 20 January 1998, the Tribunal decided to accept the submission of the case on the terms requested by the parties and the case was entered in the List of Cases as the M/V "Saiga" (No.2) case.

12. The hearing took place on 23 and 24 February 1998 in the Great Hall of the Hamburg City Hall. In the absence of a courtroom in the temporary premises of the Tribunal at that time, arrangements were made with authorities of the host country for the provision of a suitable courtroom for the hearing in the case.

13. On 11 March 1998, at a public sitting held in the Chamber of Commerce in Hamburg, the Tribunal delivered its Order on the Request for the prescription of provisional measures.

14. By an Order of 23 February 1998, the Tribunal fixed the time limits for the filing of the written pleadings in the case. Accordingly, Saint Vincent and the Grenadines submitted its Memorial on 19 June 1998. Upon the request of Guinea, the Tribunal, by an Order of 16 September 1998, extended the time limit for the filing of the Counter-Memorial. Consequently, Guinea submitted its Counter-Memorial on 16 October 1998.

15. On 6 October 1998, the Tribunal issued an Order setting the time limits for the filing of the second round of pleadings. Saint Vincent and the Grenadines filed its Reply on 19 November 1998 and Guinea its Rejoinder on 28 December 1998.

IV. OTHER ACTIVITIES

16. On 22 December 1997, the President was requested by Saint Vincent and the Grenadines to appoint an arbitrator pursuant to article 3 of Annex VII to the Convention. The arbitrator was to sit on the arbitral tribunal to be constituted to consider the case submitted by Saint Vincent and the Grenadines against Guinea in connection with the arrest and detention of the M/V "Saiga" and its crew. The President held consultations with the parties and with experts on the list maintained by the Secretary-General of the United Nations pursuant to Annex VII to the Convention. However, action was discontinued following the agreement by the Government of Saint Vincent and the Grenadines and the Government of Guinea to submit the case to the Tribunal.

17. Under the Agreement on Free Transit through the Territory of Croatia to and from the Port of Ploče and through the Territory of Bosnia and Herzegovina at Neum of 22 November 1998, a commission composed of seven members is to be established to supervise, monitor, interpret and arbitrate the implementation of the Agreement. Pursuant to the Agreement, the parties requested the Tribunal to nominate the seventh member of the commission to serve as president of the commission. The Tribunal nominated Judge Thomas A. Mensah, President of the Tribunal, to serve as the seventh member of the said commission.

V. CHAMBERS

A. Seabed Disputes Chamber

18. In accordance with article 14 of the Statute, the Seabed Disputes Chamber consists of 11 judges selected by the members of the Tribunal from among themselves.[2] The composition of the Chamber, in order of precedence, is as follows:

President: Akl

Judges: Zhao, Marotta Rangel, Bamela Engo, Nelson, P. Chandrasekhara Rao, Anderson, Vukas, Warioba, Treves, Ndiaye

19. The Seabed Disputes Chamber met during the sixth session and exchanged views on the future work of the Chamber.

20. The term of office of the members of the Chamber expires on 30 September 1999.

B. Special Chambers

1. Chamber of Summary Procedure

21. The Chamber of Summary Procedure is composed of five members and two alternates. According to article 28 of the Rules of the Tribunal, the President and the Vice-President of the Tribunal are ex officio members of the Chamber, with the President of the Tribunal serving as President of the Chamber. The Chamber is constituted annually.

22. During the sixth session, on 6 October 1998, the Chamber was constituted for the period ending on 30 September 1999. The composition of the Chamber, in order of precedence, is as follows:

President: Mensah

Judges: Wolfrum, Yamamoto, Vukas, Laing

Alternates: Akl, Anderson

2. Chamber for Fisheries Disputes

23. The Chamber for Fisheries Disputes is established in accordance with article 15, paragraph 1, of the Statute and consists of seven members.

24. The composition of the Chamber for Fisheries Disputes, in order of precedence, is as follows:

President: Caminos

Judges: Yamamoto, Bamela Engo, Chandrasekhara Rao, Anderson, Laing, Eiriksson

25. The terms of office of the members of the Chamber expires on 30 September 1999.

3. Chamber for Marine Environment Disputes

26. The Chamber for Marine Environment Disputes is established in accordance with article 15, paragraph 1, of the Statute and consists of seven members.

27. The composition of the Chamber for Marine Environment Disputes, in order of precedence, is as follows:

President: Wolfrum

Judges: Yankov, Yamamoto, Kolodkin, Park, Warioba, Marsit

28. The term of office of the members of the Chamber expires on 30 September 1999.

VI. COMMITTEES AND WORKING GROUPS

A. Committees

29. At the sixth session, on 8 October 1998, the Tribunal decided to extend the terms of office of the members of the committees until the committees are reconstituted in October 1999. The members of the committees had been selected at the third session, on 29 April 1997, to serve for the period ending on 30 September 1998. The committees were established at that session to deal with certain aspects of the work on organizational matters and are the following:

Committee on Budget and Finance;
Committee on Rules and Judicial Practice;
Committee on Staff and Administration;
Committee on Library and Publications.[3]

B. Working Groups

30. At its sixth session, on 7 October 1998, a working group on buildings and electronic systems was established as a standing body and replaced an informal group which had been appointed at the fourth session.[4] The composition of the working group and the terms of reference will be determined at the seventh session.

VII. RULES OF THE TRIBUNAL

31. At the sixth session, the Tribunal considered a list of corrections to the French text of the Rules proposed by the Registry. The corrections were examined in an informal working group coordinated by Judge Akl. On 8 October 1998, the corrections to the French text of the Rules were adopted in the form of a procès-verbal of rectification.

VIII. PRIVILEGES AND IMMUNITIES

A. General Agreement

32. The Agreement on the Privileges and Immunities of the International Tribunal for the Law of the Sea, adopted by the Seventh Meeting of States Parties on 23 May 1997, was deposited with the Secretary-General of the United Nations and opened for signature at United Nations Headquarters for 24 months as from 1 July 1997.[5] The Agreement is subject to ratification or accession and

will enter into force 30 days after the date of deposit of the tenth instrument of ratification or accession. As of 31 December 1998, nine States had signed the Agreement and one State had ratified it. The Tribunal hoped that Governments concerned would give consideration to signature and ratification of or accession to the Agreement.

33. The Tribunal requested the Secretary-General of the United Nations to deal with an inconsistency between the French text of the Agreement and the English text. Consequently, the Secretary-General circulated a note to the States Parties on 3 June 1998, proposing the correction to the original French text of the Agreement.[6] By 1 September 1998 and within the required period, no objection to the proposed corrections was communicated to the Secretary-General. Consequently, the relevant correction was effected.[7]

B. Headquarters Agreement

34. During the period under review, the President, the Vice-President and the Registrar conducted negotiations with the Director of the Legal Division of the Ministry of Foreign Affairs and representatives of other ministries concerning the headquarters agreement between the International Tribunal for the Law of the Sea and the Federal Republic of Germany. Agreement was reached on most of the terms of the draft agreement.

35. At its fifth session, the Tribunal reviewed the draft agreement and requested the President, the Vice-President and the Registrar to continue negotiations on outstanding issues, taking into account the observations and suggestions made by the Tribunal. It was proposed that issues related to the implementation of the Headquarters Agreement should also be discussed.

36. Following that decision, two meetings took place, in Bonn on 6 May 1998, and in Hamburg on 21 July 1998, between the representatives of the Tribunal and of the German Government. Agreement was reached on some issues while others remained outstanding.

37. At the sixth session, the President reported to the Tribunal on the outcome of the negotiations and the Registrar on matters relating to the implementation of the Agreement. Since some matters were still not settled, the Tribunal requested the President, the Vice-President and the Registrar to continue negotiations in order to achieve a suitable solution as soon as possible.

IX. RELATIONS WITH THE UNITED NATIONS AND OTHER ORGANIZATIONS

A. Observer status with the General Assembly

38. The Tribunal, being an observer to the General Assembly of the United Nations, participated in several meetings of the General Assembly when matters of relevance to the Tribunal were considered.

39. At the fifty-second session of the General Assembly, at the 92nd plenary meeting on 8 September 1998, the Registrar delivered a statement on agenda

item 39, entitled "Oceans and the law of the sea". The Registrar also addressed the Assembly at the same meeting on the occasion of the approval of the Agreement on Cooperation and Relationship between the United Nations and the International Tribunal for the Law of the Sea (see para. 41 below).

40. At the fifty-third session of the General Assembly, at the 69th plenary meeting, on 24 November 1998, the President delivered a statement on agenda item 38, entitled "Oceans and the law of the sea".

B. Relationship Agreement with the United Nations

41. On 8 September 1998, the General Assembly of the United Nations, at its fifty-second session, adopted a resolution approving the Agreement on Cooperation and Relationship between the United Nations and the International Tribunal for the Law of the Sea.[8] The draft resolution approving the Relationship Agreement had been sponsored by the Federal Republic of Germany and by 41 additional States and was adopted without a vote by the Assembly. The Agreement had been previously approved by the Tribunal at its fifth session, on 12 March 1998. Pursuant to article 14 of the Agreement, the approval of both the General Assembly and the Tribunal was a condition for its entry into force. Consequently, the Agreement entered into force on 8 September 1998.

42. The Agreement establishes a mechanism for cooperation between the United Nations and the Tribunal, with a view to facilitating the effective attainment of their mutual objectives and the coordination of their activities. It provides for arrangements for representation at meetings, taking into account the observer status granted to the Tribunal, and the provision of conference services. Cooperative arrangements for the regular exchange of information and documents of mutual interest are provided, including transmission of documents related to the depositary functions of the Secretary-General of the United Nations. Cooperation in personnel and administrative matters, as well as budgetary and financial matters, is also established.

43. The Tribunal expressed its appreciation to the Office of Legal Affairs of the United Nations for its continued support and cooperation.

C. Relationship with other organizations and bodies

44. During the period under review, discussions took place between the Registry and the Secretariat of the International Seabed Authority concerning the contents of a cooperation agreement and its administrative nature. Arrangements were also made with the Authority for the transmission of documents to the Tribunal.

45. The Tribunal also considered possible cooperation concerning exchange of information with other organizations and bodies dealing with matters relevant to the work of the Tribunal, such as the International Maritime Organization (IMO), the Food and Agriculture Organization of the United Nations, the Intergovernmental Oceanographic Commission (IOC) of the United Nations

Educational, Scientific and Cultural Organization (UNESCO) and the International Hydrographic Organization (IHO).

X. PREMISES OF THE TRIBUNAL

46. Progress was made in the construction of the permanent premises by the Government of the Federal Republic of Germany and the City of Hamburg. The "roof-topping" ceremony took place on 29 June 1988 and was attended by, among others, the German Federal Minister of Justice, the Hamburg Senator of Justice and the Director General of the Hamburg Ministry of Finance.

47. The Tribunal was informed that construction of the building was on schedule and that it would be ready as planned by the end of 1999. The Tribunal expected to move to the permanent premises at the end of 1999 or early in 2000.

48. Pending the completion of its permanent premises, the Tribunal was provided by the German authorities with a temporary building situated at Wexstrasse 4 in the centre of Hamburg. Construction of a courtroom in the temporary premises was completed by the end of 1998. The hearing in the M/V "Saiga" (No.2) case was due to take place in the courtroom in March 1999.

49. During the period under review, consultations were held on an agreement between the Government of Germany and the Tribunal concerning the occupancy and use of the premises of the Tribunal. Agreement was reached on most of the issues while some remained outstanding.

XI. FINANCES

A. Budget

50. Pursuant to article 19 of the Statute, the expenses of the Tribunal are borne by the States parties, the International Seabed Authority and other entities. The Meeting of States Parties decided that the contributions by States parties should be based upon the scale of assessments for the regular budget of the United Nations for the corresponding financial year, adjusted to take account of participation in the Convention.[9]

1. Budget for 1999

51. The budget proposals for 1999 were submitted to the Eighth Meeting of States Parties. Distinction was made in the budget between, on the one hand, the resources needed for the Tribunal to undertake its non-judicial functions and, on the other hand, the resources required to deal with the M/V "Saiga" (No.2) case and other possible applications. The Tribunal also proposed that provision be made for a working capital fund.

52. The Meeting of States Parties approved a budget for 1999 totalling $6,983,817 composed of: (a) recurrent expenditure of $6,833,817, including $2,617,257 for the remuneration of the judges and $2,977,060 for salaries and

related costs of staff; and (b) non-recurrent expenditure of $150,000. The establishment of a working capital fund was also approved.

53. The Meeting of States Parties also agreed that, without prejudice to future arrangements, the European Community should contribute a lump sum to the 1999 budget and a pro rata amount to the 1998 budget.

2. Supplementary budget for 1998

54. At its fifth session, the Tribunal considered proposals for additional appropriations attributable to additional expenses in connection with the M/V "Saiga" case (prompt release). Since there was no financial appropriation or reserve available in 1997 to meet the costs incurred in that case, the Tribunal incurred in the 1996-1997 budgetary period expenditures and obligations which exceeded the approved appropriations. A proposal for action was submitted to the Eighth Meeting of States Parties.

55. The Meeting of States Parties approved the appropriation of an additional sum of $356,864 for the budget for 1998 as a supplementary appropriation to cover expenses for the proceedings in the M/V "Saiga" (No.2) case.[10]

3. Budget proposals for 2000

56. At its sixth session, the Tribunal gave preliminary consideration to the draft budget for 2000, based on the proposals by the Registrar. It was noted that the move from the temporary premises to the permanent premises would have implications for the next budget, especially with respect to requirements for the staff, the courtroom, maintenance, security and new technology.

4. Report on budget performance

57. At the fifth and sixth sessions, the Tribunal considered the budget performance for the 1996-1997 and 1998 periods, respectively, based on reports and projections presented by the Registrar.

B. Status of contributions

58. An important responsibility entrusted by the Meeting of States Parties to the Registrar was the computation, assessment and collection of the contributions to be made by the States Parties, the International Seabed Authority and other entities to the expenses of the Tribunal.

59. As of 31 December 1998, 51 States parties had made their contributions (in the full amount assessed or above) to the 1998 budget, totalling $4,336,148. Partial contributions totalling $1,367,025 had been made by 24 States parties, leaving a balance of unpaid contributions of $273,750 in respect of those 24 States parties. Payment of assessed contributions in the amount of $553,471, towards the 1998 budget by 56 States parties was still pending.

60. Furthermore, assessed contributions amounting to $569,056 in respect of the 1996/1997 budget were still pending as of 31 December 1998, resulting in an unpaid balance of assessed contributions to the overall budget of the Tribunal in the amount of $1,374,073.

C. Report of the Auditor for 1996-1997

61. In accordance with the practice of the United Nations system, arrangements were made for the accounts of the Tribunal for 1996-1997 to be audited by an internationally recognized external institution. The audit report for the 1996-1997 financial statements of the Tribunal was presented by the Registrar at the sixth session. The auditor, having reviewed the transactions and operations over that period, was satisfied that the financial statements presented fairly, in all material respects, the financial position of the Tribunal.

62. The Tribunal noted with satisfaction the conclusions in the report and requested the Registrar to submit it to the Ninth Meeting of States Parties.

63. At the sixth session, the Tribunal also authorized the reappointment of the existing auditor for the next financial period of one year and requested the Registrar to enter into the necessary arrangements.

D. Trust funds

64. Consideration was given, at the sixth session, to the desirability of having a trust fund account or a special account to receive donations. The Tribunal decided in principle that appropriate donations in cash to fund the purchase of books and other materials for the Library may be accepted by the Registrar. The Registrar was authorized to open a special account upon the receipt of the first monetary donation.

E. Financial Regulations

65. At its fifth session, the Tribunal prepared draft financial regulations which were subsequently presented to the Eighth Meeting of States Parties. In view of the comments made by the Meeting, the Tribunal was requested to review the draft and to submit a revised draft to the Ninth Meeting of States Parties.

66. At the sixth session, the Committee on Budget and Finance proposed amendments to the draft financial regulations taking into account the comments made by the Meeting of States Parties. Acting on the recommendation of the Committee, the Tribunal unanimously approved the Financial Regulations of the Tribunal on 8 October 1998. It was decided that the Financial Regulations would be submitted to the Ninth Meeting of States Parties and would become effective on 1 July 1999 with respect to the financial period 2000 and to subsequent financial periods. In the interim period, the Financial Regulations of the United Nations would apply.

67. During the sixth session, the Tribunal also requested the Registrar to establish financial rules to govern the administration of all financial activities of the Tribunal by 30 June 1999. Pending the establishment of the financial rules, the Financial Rules of the United Nations will apply mutatis mutandis.

F. Pension Scheme for members of the Tribunal

68. At its fifth session, the Tribunal decided to propose the inclusion in the provisional agenda of the Eighth Meeting of States Parties of an item concerning a pension scheme for judges and to submit to the States Parties for review a draft entitled "Draft Pension Scheme Regulations for Members of the International Tribunal for the Law of the Sea". The Eighth Meeting of States Parties agreed that a pension scheme should be established. It also decided to take a decision on this matter before the term of office of the first group of judges expired. It further requested the Tribunal to re-examine the draft pension scheme in the light of the scheme of the International Court of Justice, particularly given the fact that the General Assembly might take a new decision with regard to that scheme.

69. At its sixth session, the Tribunal took note of the decision of the Meeting of States Parties and requested Judge Akl to prepare a new draft on this matter.

XII. ADMINISTRATIVE MATTERS

A. Staff Regulations

70. During the fifth and sixth sessions, the Committee on Staff and Administration reviewed the draft staff regulations presented by the Registrar.

71. At its sixth session, acting on the recommendation of the Committee, the Tribunal on 8 October 1998 approved the Staff Regulations of the Tribunal. It also decided that the Staff Regulations would have immediate effect and requested the Registrar to establish staff rules. The Staff Rules of the United Nations would apply, mutatis mutandis, pending the establishment of the staff rules. The Tribunal further requested the Registrar to submit the Staff Regulations to the Ninth Meeting of States Parties.

B. Recruitment of staff

72. The Tribunal continued the recruitment process for both Professional and General Service staff, in accordance with article 35 of the Rules of the Tribunal. At the end of 1998, the status of the recruitment process was as follows:

(a) Recruitment completed: Senior Reviser/Translator (P-4), Translator/Reviser (P-4), Librarian/Head of Publications and Archives (P-4), Associate Legal Officer (P-2) and Contribution Officer (P-2);

(b) Recruitment not yet completed for Chief of Administration (P-5). At its sixth session, the Tribunal decided to make appropriate arrangement for the early appointment for the vacant post;

(c) Six General Service posts encumbered with staff on fixed-term contracts.

73. The necessary personnel were recruited to provide services needed when the Tribunal was sitting, including its deliberations on the M/V "Saiga" (No. 2) case. Temporary staff was also engaged as required to assist the Tribunal in its judicial work.

C. Instructions for the Registry

74. The Committee on Staff and Administration began its consideration of draft Instructions for the Registry prepared by the Registrar.

D. United Nations Joint Staff Pension Fund

75. The necessary administrative arrangements for participation of the Tribunal in the United Nations Joint Staff Pension Fund were completed with the signature by the Tribunal, on 18 February 1998, and by the United Nations, on 25 February 1998, of the Special Agreement extending the jurisdiction of the Administrative Tribunal of the United Nations to the International Tribunal for the Law of the Sea with respect to applications by staff members of the International Tribunal for the Law of the Sea alleging non-observance of the regulations of the United Nations Joint Staff Pension Fund. The Agreement entered into force with effect from 1 January 1997.

XIII. BUILDING AND ELECTRONIC SYSTEMS

76. At its fifth session, the Tribunal endorsed the recommendations made by the informal group on electronic systems and buildings to request information from the German authorities on their proposals for electronic systems and services for the building. It was also concluded that the Tribunal might utilize the services of an expert in determining the precise requirements. Subsequently, the Registrar held several meetings with the building authorities to discuss the technical requirements of the premises.

77. At the sixth session, the Working Group on building and electronic systems reviewed the plans for equipping the future premises and examined aspects of the latest developments in information and courtroom technology. The Tribunal decided to continue consultations with architects and builders concerning furniture and equipment for the future premises on the basis of the report provided by the working group.

XIV. LIBRARY FACILITIES

78. During the period under review, the Tribunal, advised by the Committee on Library and Publications, reviewed the Library's collection and considered the list of monographs and periodicals proposed for purchase by the Tribunal. It also dealt with the non-recurrent expenditure for 1998, the use of legal databases and a classification scheme for the Library. A list of donors to the Library, in addition to the members of the Tribunal, is contained in the annex to the present report.

XV. PUBLICATIONS

79. At its sixth session, the Tribunal decided that the Basic Texts would be published, containing the Statute of the Tribunal, the Rules of the Tribunal, the Resolution on the Internal Judicial Practice and the Guidelines concerning the Preparation and Presentation of Cases before the Tribunal, the United Nations Convention on the Law of the Sea with the Agreement relating to the implementation of Part XI of the Convention, and the Agreement on the Privileges and Immunities of the Tribunal.

80. The Tribunal expected its first Yearbook (1996/1997) to be issued in the first part of 1999.

81. The Tribunal decided to publish its judicial decisions on a regular basis.

XVI. PUBLIC INFORMATION

82. The Tribunal gave publicity to its work by means of press releases and briefings by the Registry. Information about the Tribunal could also be found on the United Nations Web site (http://www.un.org/Depts/los). Addresses and publications by the judges also helped to publicize the work of the Tribunal.

XVII. FUTURE WORK

83. The Tribunal decided to convene for its seventh session from 25 February to 16 April 1999. The session would be held in conjunction with the hearing and deliberations in the M/V "Saiga" (No.2) case.

84. The hearing in the M/V "Saiga" (No. 2) case was scheduled to begin on 8 March 1999 and the judgement was expected to be delivered at the end of June 1999.

85. In addition to its work regarding cases, the Tribunal would meet in 1999 for its eighth session in order to complete its organizational and administrative work.

Notes

[1] See SPLOS/27, paras. 51 and 60.

[2] See article 35 of the Statute.

[3] For the terms of reference of the Committees, see SPLOS 27, paras. 37-40.

[4] SPLOS/27, para. 41.

[5] SPLOS/24, para. 27.

[6] See C.N. 205.1998. TREATIES-2 (Depositary Notification).

[7] See C.N. 495.1998. TREATIES-5 (Depositary Notification).

[8] See General Assembly resolution 52/251.

[9] SPLOS/31, para. 21, and SPLOS/L.9, para. 5.

[10] SPLOS/31, paras. 26-30, and SPLOS/L.10.

Annex

LIST OF DONORS TO THE LIBRARY OF THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA (1998)*

Judge Brahim Abdessemad, Tunisia

Mr. Takashi Aoki, Tokyo

Professor Elisabeth Mann Borgese, International Ocean Institute, Halifax, Nova Scotia, Canada

Bundesforschungsanstalt für Fischerei, Hamburg

Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, United Nations, New York

Faculté de droit et de sciences politiques de l'Université Saint-Joseph, Beirut

Food and Agriculture Organization of the United Nations, Rome

INFOFISH, Kuala Lumpur

Institute of International Public Law and International Relations, Thessaloniki, Greece

Institut für Seerecht und Seehandelsrecht der Universität Hamburg, Hamburg

International Court of Justice, The Hague

International Maritime Organization, London

International Seabed Authority, Kingston, Jamaica

Kluwer Law International, The Hague

Professor Barbara Kwiatkowska, The Netherlands Institute for the Law of the Sea, Utrecht, the Netherlands

Lega Navale Italiana, Agrigento, Italy

Max-Planck-Institut für ausländisches öffentliches Recht und Völkerrecht, Heidelberg, Germany

Éditions A. Pédone, Paris

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* This list does not take into account donations from members of the Tribunal and staff of the Registry.

Michigan State University Library, East Lansing, Michigan, United States of America

Permanent Mission of Germany to the United Nations, New York

United Nations Environmental Programme, Nairobi

Walther-Schücking-Institut für internationales Recht an der Universität Kiel, Kiel, Germany

World Meteorological Organization, Geneva